

WILLMAR CITY COUNCIL PROCEEDINGS
COUNCIL CHAMBERS
WILLMAR MUNICIPAL UTILITIES BUILDING
WILLMAR, MINNESOTA

August 15, 2016
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Audrey Nelsen, Steve Ahmann, Denis Anderson, Rick Fagerlie, Shawn Mueske, Andrew Plowman, Ron Christianson and Tim Johnson. Present 9, Absent 0.

Also present were City Administrator Larry Kruse, City Clerk-Treasurer Kevin Halliday, Public Works Director Sean Christensen, Police Chief Jim Felt, Finance Director Steve Okins, Fire Chief Frank Hanson, and City Attorney Robert Scott.

Mayor Calvin requested agenda Item No. 10 be moved up to No. 5 for earlier discussion on the storm event.

Mayor Calvin commented on the catastrophic rainfall event of August 10, 2016 resulting in flooding for many residents within the City of Willmar. There were basements flooded to the rafters, others with 2-4 feet of water and some inches. Businesses were flooded and dramatically affected. Our local Stingers baseball team had to move their last four games to the Spicer Stadium. Storm events like this have economic and personal impacts on individuals. Mayor Calvin stated he asked staff to prepare a report of the happenings of the event and expressed the sympathies of himself, the Council and City staff. He has been in contact with Emergency Management in relation to disaster declaration and the public infrastructure within the community must meet a certain dollar amount and that threshold has not been met.

City Administrator Larry Kruse stated the City has received reports of anywhere between 8 and 12 inches of rain the evening of August 10th and heard reports of displaced residents. City employees were out through the night and following day and the Wastewater Treatment Plant took two days to get operations back in order.

Public Works Director Sean Christensen covered the rain event reporting Public Works Crew Members were out closing and securing flooded intersections to keep the public safe. As the rain continued at approximately 5:00 a.m. it overwhelmed our Wastewater Treatment Plant because of the amount of water manually pumped to reduce the amount of basement damages we overrode our own system at the Wastewater Treatment Plant and put it over capacity. Over the course of the evening nine separate lift stations were bypassed and when the plant itself was becoming overwhelmed the bypassing of those lift stations was abandoned in order to concentrate on the plant itself. Public Works Crews were then assisting Wastewater Crews and it took them around the clock for two nights to get that system back in order. There was voluntary water conservation by citizens in place for 24 hours. The Wastewater Treatment Plant is designed for a flow of 3-5 million gallons per day with a 16 million gallons per day maximum, this event delivered 22-23 million gallons.

City Clerk-Treasurer Kevin Halliday, who works on insurance claims for the City, stated he is in counsel with the League of Minnesota Cities who will make a determination on the raw sewage claims based on our maintenance protocols.

The Council discussed the rain event and asked further questions of staff. Mayor Calvin commended all staff members for their hard work during this time of disaster.

Council Member Anderson offered a motion to adopt the Consent Agenda which included the following items: City Council Minutes of August 1, Willmar Municipal Utilities Board Minutes of August 8, Planning Commission Minutes of August 10, Accounts Payable Report through August 10, and the Building Inspection Report for July, 2016. Council Member Christianson seconded the motion, which carried.

At 7:36 p.m. Mayor Calvin opened the Hearing for the consideration of Sale of Land to 4 Ever Family Properties, LLC. City Administrator Larry Kruse presented a request which includes the sale of Lot 1, Block 4, Willmar Industrial Park Fourth to 4 Ever Family Properties, LLC (Backes Technology Services). The buyer proposes construction of a 4800 square foot building and moving at least six full-time employees to the Willmar location, all of which exceed the City's wage threshold of \$12.00/hour. Fall of 2016 construction is planned. The net purchase price is \$28,000, utilizing the land write-down policy. There being no one present to speak for or against the ordinance, Mayor Calvin closed the hearing at 7:38 p.m.

Council Member Anderson offered a motion to adopt, assign a number and order final publication of the Ordinance for Sale of Land to 4 Ever Family Properties, LLC. Council Member Nelsen seconded the motion. Council Member Ahmann inquired where the proceeds for the sale of land will be placed in the City's funding system. Finance Director Steve Okins stated they will be placed in the Industrial Development Funds. The motion to adopt the ordinance carried on a roll call vote of Ayes 8, Noes 0.

Mayor Calvin acknowledged Bradley Peterson, Coalition of Greater Minnesota Cities, who appeared before the Mayor and Council to review the 2016 Legislative Session and activities of the CGMC. Mr. Peterson highlighted a few things the CGMC tried to do during the course of the Legislative Session. He presented CGMC facts stating their current membership is 88 cities in 2016, and that their primary focus for legislation is limited to five areas: 1) LGA/Property Taxes, 2) Economic Development, 3) Annexation and Land Use, 4) Environmental Regulations and 5) Transportation strictly from a Greater Minnesota perspective.

Mr. Peterson stated the outcome of the 2015 legislative session noting it was a budget year and the legislature needed to complete a budget by July 1st in order to avoid a shutdown. The State's financial health continued to be good, the February forecast shows a budget surplus of \$1.8 billion and about \$1.3 billion in the Budget Reserve with revenues consistently above what they were projected to be. He touched on the CGMC's goals being returning LGA to the 2002 funding level, passing Greater MN economic development programs to include workforce housing, job training, business development public infrastructure programs, broadband, a comprehensive transportation plan and environmental reforms. The main focus was to get back to the 2002 LGA funding level by pressing for a \$22.75 million increase in FY 2016 and 2017 which would help cities catch up on infrastructure, capital purchases and wages.

Mr. Peterson stated the 2016 session started with a \$900 million surplus. There were concerns over the economic downturn making lawmakers cautious. The House Republications favored using the surplus for tax cuts and transportation. The DFL favored one-time spending and funding new dollars for transportation. There was no tax bill in 2015. The 2016 efforts set the stage for Clean Water Funding discussion lobby to ensure both funding and policy changes are included in the bonding bill. CGMC pushed for a Business Development Infrastructure Program as it relates to private industry growth. In conclusion for the 2016 legislative session, there was no comprehensive transportation package, no tax bill or LGA increase, and no bonding bill.

After a few questions, Mayor Calvin thanked him for his presentation and acknowledged Council Member Nelsen for serving on the CGMC Board. Council Member Christianson inquired as to where the LGA Funding is drawn from. Mr. Peterson indicated the State collects the funding from sales tax. Council Member Ahmann questioned the outcome of the gas tax in the session. Mr. Peterson addressed the MPCA regulations and touched on the addition of a 4.75% surcharge to the voluntary assessment for all cities for environmental funding issues.

Laura Becker, 1010 Kandiyohi Avenue requested to address the Council during the Open Forum. Ms. Becker stated that within the Barr storm water report it listed there are 16 flood prone areas in Willmar. She

believes the updated report shows 11 of those areas still exist. In her residence she experienced water at her bottom step when she opened her front door and two feet of water in her basement. Ms. Becker stated her concern for the City's infrastructure. The manhole cover that she was told was welded down came off and the power box at 10th Street and Kandiyohi Avenue was under water which has never happened in 14 years. She stated the residents at 10th and Kandiyohi are tired of being the city's holding pond. She questioned if actual sewage entered in to Ditch 23-A, because if it did, that means it also entered people's homes.

Loren Schultz, 901 Irene Avenue SE, addressed the Council during the Open Forum stating there is too much water coming into Willmar and all the ditches. The reason being there has never been a CP39 used in Kandiyohi County which has been into effect since 2008 and used by the Crow River Watershed District. He stated there is an opportunity to use this tool in conjunction with the Wye Project and make room for this water so it can discharge.

Patrick Curry and David Little, Airport Commission Members, updated the Council on the 10th Anniversary Celebration at the Willmar Municipal Airport. The public is invited to come out to the airport from 10 a.m. – 3 p.m. on September 4th. There is a brat feed and activities planned which include remote control airplanes and drones, a Life Link exhibit, the Willmar Fire Department with a Hook and Ladder truck and antique and collector cars. The proceeds go to the Willmar Boy Scouts. The event is assisted by the Convention and Visitors Bureau and the Economic Development Commission.

Mayor Calvin read a Proclamation declaring August 17, 2016 as "Parkinson's Awareness Day" in the City of Willmar. An event will be hosted to highlight the work of the National Parkinson Foundation of Minnesota. All residents are urged to participate in activities and events which support the fight against Parkinson's.

The Finance Committee Report of August 8, 2016 was presented to the Mayor and Council by Council Member Anderson. There were five items for consideration.

Item No. 1 There were no comments from the public.

Item No. 2 Information Systems Coordinator Ross Smeby presented a request to the Committee for authorization to purchase new networking switches for City Hall and the Waste Treatment Plants. The current server switches at City Hall and both the old and new Waste Treatment Plants are past due for replacement. Funding in the amount of \$56,000 was approved on the 2016 Capital Improvement Program for this project. If approved, the current Dell switches will be replaced with the same brand for an estimated cost of \$53,982.90.

It was the Committee's recommendation to the Council to authorize staff to purchase new networking switches for City Hall and the old and new Waste Treatment Plants in the amount of \$53,982.90 as presented. Council Member Anderson moved the recommendation of staff to approve the purchase of the networking switches. Council Member Christianson seconded the motion which carried.

Item No. 3 Staff explained to the Committee that Kandiyohi County and the City of Willmar jointly own the Willmar Public Library. The County has sole responsibility for maintenance of the facility and leases a portion to the Pioneerland Library Regional System. Since the City is part owner, the County is requesting the City sign a Consent to Lease form extending the lease for another five years (2017 – 2021) using a 3% cost of living adjustment (COLA). The current five year lease which expires December 31, 2016, had also incorporated an annual 3% COLA. If this lease extension is approved, Pioneerland would be required to remit \$39,475.18 for 2017, \$40,660.05 for 2018, \$41,879.85 for 2019, \$43,136.25 for 2020, and \$44,430.34 for 2021. This lease revenue would offset part of the City's share of annual maintenance and operation costs. It was noted that the City's share of those costs is 60 percent and the County's share is 40 percent.

The Committee was recommending the Council introduce a resolution authorizing the Mayor and City Administrator to execute the Consent to Lease form for the Pioneerland Library lease extension covering 2017 through 2021 as presented.

Resolution No. 1 was introduced by Council Member Anderson, seconded by Council Member Christianson, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator for the City of Willmar be authorized to execute a Consent to Lease Agreement between Kandiyohi County and the Pioneerland Library System.

Dated this 15th day of August, 2016.

/s/ Marv Calvin
Mayor

/s/ Kevin Halliday
Attest: City Clerk

Item No. 4 Staff explained to the Committee that in preparation of receiving the Independent Auditor's Annual Report scheduled for the August 22nd Finance Committee meeting, staff again brought the 2015 Comprehensive Annual Financial Report to the Committee for discussion. Cash and Fund Balances were discussed, as well as timing of payments received from various governmental entities. Council Member Nelsen requested that a detail of Cash Balances be provided with their associated spending restrictions currently in place. Council Member Christianson requested this detail of the Fund Balances as well. This matter was received by the Council for information only.

Item No. 5 Staff reported to the Committee that the presentation of the Mayor's Proposed 2017 Budget is tentatively set for Wednesday, August 31, 2016, in the Council Chambers at the Willmar Municipal Utilities building. Confirmation of this meeting will be forthcoming to the Council. This matter was received by the Council for information only.

The Finance Committee Report for August 8, 2016, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Christianson.

City Administrator Larry Kruse presented for the Council's consideration a request to consider an ordinance to rezone Affiliated Community Medical Center (ACMC) parcels from R-2 (One and Two Family Residential) and LB (Limited Business) to GB (General Business). ACMC is proposing to construct a new surgery center on their campus (south of the former Roosevelt School). They have several parcels and three different zones within their campus with the main ACMC clinic and existing surgery center being zoned GB. They wish for the new surgery center and remainder of the campus to also be GB for uniformity. The rezoning was approved by the Planning Committee. Council Member Anderson made a motion to set a hearing to consider the rezone for September 6, 2016. Council Member Ahmann seconded the motion, which carried.

City Administrator Larry Kruse submitted a request from ACMC to approve the preliminary/final for the future development of the new surgery center and associated parking, access, and stormwater ponding. The subdivision is a replat of four existing parcels into two lots and two outlots with the plan to clean up the west half of the campus allowing for shared drives and parking. The Planning Commission approved the plat with conditions regarding utility easements, stormwater provisions, water mains, and the covenants/declarations that dictate the common areas in the outlots. It was staff's recommendation to approve the plat with the conditions as stated by the Planning Commission. Council Member Christianson moved the recommendation of staff. Council Member Fagerlie seconded the motion, which carried.

City Clerk-Treasurer Kevin Halliday presented to the Council a list of properties that have not paid the charges for weed and grass mowing. Pursuant to Municipal Code, Chapter 9, Article III, concerning the cutting of weeds or grass and in the case of noncompliance, such work is to be performed by the City or its agent. The costs thereof can be certified as a special assessment against the property in question.

Staff was recommending the Council set a public hearing for 7:03 p.m. on September 6, 2016, to consider objections to the proposed assessment for the mowing costs incurred. Council Member Anderson moved the recommendation of Staff. Council Member Christianson seconded the motion, which carried.

City Clerk-Treasurer Kevin Halliday presented to the Council a list containing a property owner that has not paid the charges for boarding up and securing of an inhabitable building. Pursuant to Municipal Code, Chapter 9, Article I, concerning the securing of an inhabitable building by the City, the costs thereof can be certified as a special assessment against the property in question.

Staff was recommending the Council set a public hearing for 7:04 p.m. on September 6, 2016, to consider objections to the proposed assessment for the boarding up and securing costs incurred. Council Member Fagerlie moved the recommendation of the Committee. Council Member Christianson seconded the motion which carried.

Mayor Calvin announced the date being considered for a Work Session to define local option sales tax project initiatives is proposed for September 6th at 4:45 p.m. prior to the regular City Council meeting. The purpose of the session would be to identify the projects within the three selected areas for the ballot question and update the Council. It was the consensus of the Council to hold the Work Session on that date and time.

Announcements for Council Committee meeting dates were as follows: Finance, 4:45 p.m., City Hall August 22nd, Public Works, 4:45 p.m., City Hall, August 23rd, Labor Relations Committee, 4:45 p.m., City Hall, August 24th, and Community Development, 4:45 p.m., City Hall, September 1, 2016.

Reminder that the Mayor's Proposed Budget will be presented on August 31st at 4:45 p.m. Mayor Calvin announced Destination Playground Design Day and Rockin' Robbins both on August 16th. The event will be held at Robbins Island starting at 5:00 p.m. with a playground presentation at 6:30 p.m.

Council Member Christianson offered a motion to adjourn the meeting with Council Member Mueske seconding the motion, with carried. The meeting adjourned at 8:41 p.m.

Attest:

MAYOR

SECRETARY TO THE COUNCIL